

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA; et al) ORDER:
) THAT FACILITIES TO INTER-
- vs -) VIEW OR INTERROGATE CERTAIN
) WITNESSES REQUESTED BY THE
ARAKI, Sadao; et al) ACCUSED SHIMADA BE PROVIDED;
) AND FOR THE ISSUANCE OF 6
) SUMMONSES; AND FOR THE PRO-
) Duction OF DOCUMENTS.

This matter coming on to be heard on this 22nd day of November, 1946, before The Honorable Sir William Webb, the President of the Tribunal, upon the application of SHIMADA, Shigetaro, one of the defendants herein, for the production of certain witnesses and documents necessary to the defense of said SHIMADA, Shigetaro, in accordance with the provisions of Section 3, Article 9, paragraph (e) of the Charter, the names of said witnesses and the descriptions of the documents being set forth in said application, which is Paper No. 559; and after hearing the statements and arguments of Counsel for the said SHIMADA, Shigetaro, and the Tribunal being fully advised in the premises, it is

ORDERED: That said application as to each of the following named persons be granted, as prayed:

1. OIKAWA, Koshiro;

(a) The nationality of the witness is Japanese;
his address is 2, 132 Kaminoge Machi, Tama-
gawa, Setagayaku, Tokyo;

(b) He was former Navy Minister preceding the accused SHIMADA.

2. YOSHIDA, Zengo;

(a) The nationality of the witness is Japanese; his address is 114 Kakinokizaka, Meguroku, Tokyo;

(b) He was former Navy Minister and Admiral in the Japanese Navy.

3. SAWAMOTO, Yoshio;

(a) The nationality of the witness is Japanese; his address is 110 Kakinokizaka, Meguroku, Tokyo.

4. NOMURA, Kichisaburo;

(a) The nationality of the witness is Japanese; his address is c/o Hamada, 127 3 Chome, Den in Chofu, Setagayaku, Tokyo;

(b) He was Ambassador to the United States at time of the attack on Pearl Harbor.

5. KANEKO, Kiyota;

(a) The nationality of the witness is Japanese; his address is 387 6 Chome, Kitashinagawa, Shinagawaku, Tokyo.

6. SHIZEKI (or SHISEKI), Ihei;

(a) The nationality of the witness is Japanese; his address is 47 Takanawa Minamicho, Shibaku, Tokyo.

and that a summons be issued, by the General Secretary of the Tribunal, commanding each of said persons, to-wit: OIKAWA, Koshir, YOSHIDA, Zengo, SAWAMOTO, Yoshio, NOMURA, Kichisaburo, KANEKO, Kiyota, and SHIZEKI (or SHISEKI), Ihei, to attend and testify

before said Tribunal as a witness for the accused SHIMADA, Shigetaro, at a time indicated to the General Secretary of the Tribunal, by Counsel of record for the said accused, as a probable date when the witness will be actually required.

It is further ORDERED: That every facility and assistance be provided to Counsel for the accused SHIMADA, Shigetaro, to submit written interrogatories to or verbally interrogate each of the following named persons at the place where said person is now located and may be found or held:

1. FUKUTOME, Shigeru;
 - (a) The nationality of the witness is Japanese;
 - (b) He was a Vice Admiral in the Japanese Navy and at present is in Singapore, although it is believed that he is not confined as a prisoner of war.
2. ONODA, Sutejiro;
 - (a) The nationality of the witness is Japanese;
 - (b) He was a Naval captain and assistant to the above-named FUKUTOME. He is believed to be in Singapore at the present time although not a prisoner of war.
3. OKOCHI, Denshichi;
 - (a) The nationality of the witness is Japanese;
 - (b) He was a Vice Admiral in the Japanese Navy and is at present in Manila, believed to be a prisoner of war.
4. TOYODA, Soemu;
 - (a) The nationality of the witness is Japanese; he is at present confined in Sugamo Prison;

(b) He was an Admiral in the Japanese Navy and was in attendance at negotiations pertaining to the London Naval Conference.

5. Captain H. H. SMITH-HUTTON;

(a) The nationality of the witness is American; he is at present in command of the USS LITTLE ROCK (CL92), c/o Postmaster, New York;

(b) He was former Naval Attache, American Embassy, Tokyo, Japan, and was well acquainted with the accused.

It is further ORDERED: That the application of the accused for the issuance of a subpoena for each of the persons named in his request for the production of witnesses is indefinitely continued, awaiting results and disclosures of the interrogations hereinbefore authorized and ordered, and the accused is granted permission to file a supplemental application for the issuance of subpoenas for such witnesses selected from those named in this Order as may be found necessary to his proper defense in this case as a result of said interrogations.

It is further ORDERED: That the application of the accused for the production of the following named documents is granted; and that said documents, the location of which is set forth in the description of the documents, be procured forthwith and lodged with the Registry of the Tribunal:

The following tables compiled by the United States Navy Department:

1. Separate tables, each of which showing the number and displacement tonnage of each kind of warship (a) completed and (b) still in the progress of being built on 7 December 1941, together with those that show those figures at the end of every year beginning from 1931 to 1945;

2. List of battleships, airplane carriers and A and B classes of cruisers in the period mentioned;
3. List of Navy personnel for the same period, including reserves;
4. Tables showing construction plan of warships and Navy airplanes for same period;
5. Records of the United States Senate, as well as those of Committees of Foreign Affairs and Navy from April 1930 to 1945, located in the files of the United States Senate;
6. Records of the meetings of the United States Naval Committee of the Senate, dating from 1940, located in the files of the United States Senate;
7. All diplomatic documents and telegrams between the United States of America and England, dating from April 1941 to January 1, 1942, located in the United States Department of State and also in the British Foreign Ministry;
8. All official documents pertaining to the Yalta, Quebec, and Pacific Conferences, located in the United States Department of State and also in the British Foreign Ministry.
9. United States documents pertaining to the Japanese-American Conference, located in the United States Department of State;
10. "The Conduct of the Sea Campaign", (Yarnel, Pye, Frost, 1920), located in the United States Navy Department;
11. "Woodrow Wilson, the World Settlement", published in the United States of America in 1928;
12. "Life", an American magazine published on 24 October 1945;
13. "Jane's Fighting Ships", 1941, 1942, published by Sampson, Low, Marston & Co., Ltd., London.

Dated at Tokyo, Japan, this 8 January, 1947.

BY THE TRIBUNAL:

(Signed) W. F. Webb
PRESIDENT